IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

THURSDAY, THE 8TH MARCH 2007 / 17TH PHALGUNA 1928

OP.No. 1356 of 2002(J)

PETITIONER:

THE KOTTAYAM DISTRICT CO-OPERATIVE
BANK LTD., KOTTAYAM, REPRESENTED BY ITS
GENERAL MANAGER.

BY ADV. SRI.M.M.MONAYE
SRI.M.PAUL VARGHESE

RESPONDENTS:
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1. T.U. JOSE, THERUVATHU HOUSE,
UZHAVOOR VILLAGE, UZHAVOOR KARA,
MEENACHIL TALUK.

2. MARIAM, EDATTUKUNNEL HOUSE,
UZHAVOOR VILLAGE, PERUMTHANAM KARA,
MEENACHIL TALUK.

3. KERALA CO-OPERATIVE TRIBUNAL,
THIRUVANANTHAPURAM.

BY ADV. SRI.K.SURENDRA MOHAN – FOR R1

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 08/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

O.P.No. 1356/2002

ORDER ON CMP NO. 2356/2002 IN O.P.No. 1356/2002

DISMISSED.

12/03/2007. SD/- (C.N.RAMACHANDRAN NAIR, JUDGE)

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE DEED OF HYPOTHECATION DATED 09/03/1995 BETWEEN THE 1ST RESPONDENT AND THE PETITIONER.

EXT.P2 COPY OF AWARD DATED 30/6/1997 IN ARC NO. 35/96.

EXT.P3 COPY OF THE ORDER DATED 11/6/2001 ISSUED BY THE 3RD RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

O.P. No. 1356 of 2002 J

Dated, this the 8th day of March, 2007

J U D G M E N T

Since the learned counsel for the respondents submit that the entire arrears are paid in installments in terms of the award, this original petition is closed. However, if any outstanding is due from the respondents, the Bank is free to recover the same.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg